

FILED

5 2010 FEB 24 P 1:13

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NP [Signature]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BZ

ZENaida TEVES Plaintiff,

vs.

BANK OF AMERICA
Defendant(s).

CV 10 CASE NO. 779

EMPLOYMENT DISCRIMINATION
COMPLAINT

1. Plaintiff resides at:

Address 619 PARADISE VALLEY CT

City, State & Zip Code DANVILLE CA 94526

Phone 925-735 1322 / 925 216 3785

2. Defendant is located at:

Address 2000 CLAYTON ROAD

City, State & Zip Code CONCORD, CA 94520

3. This action is brought pursuant to the Age Discrimination in Employment Act (ADEA), 29 USC 621 et seq. for employment discrimination. Jurisdiction is conferred on this Court by 42 U.S.C. Section 2000e-5.

Equitable and other relief is sought under 42 U.S.C. Section 2000e-5(g).

4. The acts complained of in this suit concern:

a. ☐ Failure to employ me.b. ☒ Termination of my employment.

1 c. ☐ Failure to promote me.

2 d. ☒ Other acts as specified below.

3 SUPERVISOR ASKED MY
4 AGE AT 4:45 PM - FRIDAY
5 AND BY 6:30 LOCCO
6 CALLED ME NOT REPORT ON
7 MONDAY, IF THE SUPERVISOR
8 DOESN'T LIKE ^{ME} SHE WOULD ASK AGENCY NOT
9 TO SHOW UP OR REPORT ON FRIDAY.

5. Defendant's conduct is discriminatory with respect to the following:

10 a. ☐ My race or color.

11 b. ☐ My religion.

12 c. ☐ My sex.

13 d. ☐ My national origin.

14 e. ☒ Other as specified below.

15 AGE DISCRIMINATION

16 6. The basic facts surrounding my claim of discrimination are:

17 I WAS DISCRIMINATED BY BANK OF AMERICA
18 BECAUSE OF MY AGE. AT THAT TIME I WAS
19 61, MY RIGHTS WERE VIOLATED PER THE
20 STATUTE. I STARTED ON MY FIRST DAY
21 TO REPORT WAS WED & DURING THAT TIME
22 I WAS ON THE TRAINING PROCESS & TAKING NOTES
23 ONLY. BY FRIDAY I WAS GIVEN ALL MY COMPUTER
24 ACCESS (PASSWORD ETC) I HAVE A DEGREE I DID SOME
25 CLERICAL FILING AS WELL / BEC OF THE COMP. ACCESS.

7. The alleged discrimination occurred on or about February 15, 2008

(DATE)

8. I filed charges with the Federal Equal Employment Opportunity Commission (or the
California Department of Fair Employment and Housing) regarding defendant's alleged

discriminatory conduct on or about 08/25/08.

(DATE)

9. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter
(copy attached), which was received by me on or about 12-08-09

(DATE)

10. Plaintiff hereby demands a jury for all claims for which a jury is permitted:

Yes ☒ No ☐

11. WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate,
including injunctive orders, damages, costs, and attorney fees.

DATED: 2/22/10

SIGNATURE OF PLAINTIFF

(PLEASE NOTE: NOTARIZATION
IS NOT REQUIRED.)

ZENaida TEVES

PLAINTIFF'S NAME

(Printed or Typed)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Zenaida Teves**
619 Paradise Valley Ct
Danville, CA 94526

From: **Oakland Local Office**
1301 Clay Street
Suite 1170 N
Oakland, CA 94612



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

555-2008-00912

Margarita Hossainizadeh,
Investigator

(510) 637-3246**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On Behalf of the Commission



Kristine A. Jensen,
Director

Enclosures(s)

12-08-2009
 (Date Mailed)

cc:

Susan L. Gray
Senior VP. Advice & Counsel
BANK OF AMERICA
325 E Street
Davis, CA 95616